

HOUSE BILL 2010

By Moore

AN ACT to amend Tennessee Code Annotated, Title 4 and
Title 12, relative to the purchase of goods and
services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-3-201, is amended by adding the
following as new, appropriately designated items:

(_) "Catalogue" means a list of vendors determined by competitive bidding
maintained by the commissioner;

(_) "Established catalogue price" means the price of goods included in the
catalogue;

SECTION 2. Tennessee Code Annotated, Section 12-3-202, is amended by adding the
following as a new, appropriately designated subdivision:

(_) Established catalogue price;

SECTION 3. Tennessee Code Annotated, Title 12, Chapter 3, Part 2, is amended by
adding the following as a new, appropriately designated section:

Section 12-3-2___. The commissioner is authorized to establish a procedure by
which the state and its agencies may purchase from a catalogue based on an
established catalogue price that is renewed regularly.

SECTION 4. Tennessee Code Annotated, Section 12-3-216, is amended by deleting the
section in its entirety and by substituting instead the following:

Section 12-3-216. The commissioner is authorized to participate in multi-state
cooperative purchasing arrangements, alliances, and agreements and to execute or
cause to be executed any and all agreements required for the state's participation in
such arrangements, alliances, and agreements.

SECTION 5. Tennessee Code Annotated, Section 12-4-109, is amended by adding the following language as a new subsection:

(f) The commissioner of finance and administration is authorized to utilize any or all of the following techniques in the procurement of services by the state of Tennessee:

(1) Oral presentations, vendor or vendor client visits, and interviews of key personnel proposed for the engagement, all of which shall be scored in the technical evaluation;

(2) A minimum threshold technical score, based either on an absolute value or as a percentage of the highest evaluated score, and the elimination before cost proposals are opened of proposers not meeting the minimum technical score; or

(3) Best and final offer ("BAFO") designed to ensure that the state receives the best relative value for the goals and performance requirements sought in the pertinent request for proposal.

SECTION 6. This act shall become a law on July 1, 2009, the public welfare requiring it.